

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GREGORY GIBBS,

Plaintiff,

v.

JOHN WETZEL, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-12-1751

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW**, this 15<sup>th</sup> day of November, 2012, **IT IS HEREBY ORDERED** that:

- (1) Magistrate Judge Carlson's Report & Recommendation (Doc. 9) is **ADOPTED in its entirety**.
- (2) The claims against Defendants John Wetzel and Marirosa Lamas are **DISMISSED without prejudice**.
- (3) Plaintiff Gregory Gibbs may file an Amended Complaint to properly allege the claims against Defendants Wetzel and Lamas **within twenty (20) days** from the date of entry of this Order.
- (4) Plaintiff's Application to Proceed *In Forma Pauperis* (Doc. 2) is **GRANTED**.
- (5) The matter is **RECOMMITTED** to Magistrate Judge Carlson for further proceedings.

/s/ A. Richard Caputo \_\_\_\_\_  
A. Richard Caputo  
United States District Judge